

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**SUNCHASE OF RIDGELAND, LTD,
EVEREST PINEBROOK, L.P.,
RAINBOW/RIDGELAND, LLC,
RR APARTMENTS, LLC,
JORDAN RIDGE, LLC and
OAKBROOK, LLC**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:14-cv-938-HTW-LRA

CITY OF RIDGELAND, MISSISSIPPI

DEFENDANTS

MOTION TO REOPEN CASE

COME NOW, Plaintiffs', Sunchase of Ridgeland, LTD, Everest Pinebrook, L.P., Rainbow/Ridgeland, LLC, RR Apartments, LLC, Jordan Ridge, LLC and Oakbrook, LLC and file this Motion to vacate sealed order [Dkt. No. 155], and to reopen the action, and in support thereof would show the following:

1. By email dated September 21, 2016, counsel for the Defendant advised the Court, among other things, that the parties in *Baymeadows v. City of Ridgeland* had reached a settlement, and that the claims of the *Sunchase* Plaintiffs were moot based on a proposed amendment to the 2014 Zoning Ordinance. Thereafter, the Court administratively closed this case. [Dkt. No. 155]. However, the Plaintiffs in this case have not reached any settlement agreement, nor have there even been any substantive settlement negotiations. Furthermore, irrespective of whether the proposed amendment is adopted, the Plaintiffs' claims are not moot.

2. For these reasons, these Plaintiffs move the Court to vacate the order administratively closing this case, and request that this case be put back on the active docket.

3. For the Court's convenience, a proposed order will be electronically submitted to the Court pursuant to the Uniform Local Rules and the Administrative Procedures for Electronic Case Filings.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs' respectfully request that this case be reopened and placed back on the active docket.

Respectfully submitted, this the 14th day of October, 2016.

/s/ Michael V. Cory

Michael V. Cory (MSB No. 9861)
Counsel for Sunchase of Ridgeland, Ltd.,
Everest Pinebrook, L.P. and Rainbow/Ridgeland,
LLC

/s/ R. Keith Foreman

R. Keith Foreman (MSB No. 5421)
Counsel for Oakbrook, LLC

/s/ Lawrence M. Coco, III

Lawrence M. Coco, III (MS Bar No. 100378)
Counsel for RR Apartments, LLC and Jordan
Ridge, LLC

CERTIFICATE OF SERVICE

I, Michael V. Cory, Jr., do hereby certify that I have this date electronically filed the above and foregoing document using the ECF system, which sent notification of such filing to all counsel of record.

SO NOTICED this the 14th day of October, 2016.

/s/ Michael V. Cory

Michael V. Cory